

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL - Mahabubnagar District – Narva (Mandal) Erladinne (Village) - O.P.No.66/2004 - Sanction of decretal charges of **Rs.1,06,57,055/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 50

DATE:20.01.2009

Read:

From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd Ref.No.SRP4/1136/
2008, dt:01.12.08 along with the proposal of the Special Collector, LA
Bheema Project, Mahabubnagar District dt:27.09.2008.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.66/04 pertaining to Erladinne (V) of Narva (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.9611.67 sq.mtrs in the limits of Erladinne (V) of Mahabubnagar District vide Award No.18/92, dt:26.08.92 by fixing the market value @Rs.50/- per sq.mtr along with structure value. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal has enhanced the market value of the acquired lands one more time than what was awarded by the LAO. The Asst.Govt.Pleader, Gadwal has advised to file appeal before the Hon'ble High Court of A.P, Hyd as the enhancement is abnormal and also advised to obtain stay in the case. Appeal was filed by the SDC before the Hon'ble H.C of A.P,Hyd. The Hon'ble H.C of A.P, Hyd has granted interim stay orders that to deposit the half of the decretal amount within (8) weeks from the date of order. Accordingly, an amount of Rs.91,86,422/- was sanctioned and the same has been deposited in Sr.Civil Judge Court, Gadwal. Finally, the Hon'ble H.C of A.P, Hyd has been disposed the appeal while confirming the Lower Court orders. In the meanwhile, the claimants have been filed C.C.No.1582/2008 in W.P.No.27975/07.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,06,57,055/- (Rupees One crore six lakhs fifty seven thousand and fifty five only)** in respect of O.P.No.66/04 pertaining to Erladinne (Village) Narva (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount sanctioned in para (2) ante, shall be debitale to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (27) – Canals and Distributaries - 530 Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.15886/F2(2)/2008-1, dated 27.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar District.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.27838/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER